

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 169 – HB 397

March 27, 2015

SUMMARY OF ORIGINAL BILL: Prohibits a member of a governing body from casting a vote by means of text messaging. Governing body refers to boards, agencies, and commissions of state government, including the Tennessee State Funding Board, Tennessee Local Development Authority, Tennessee Housing Development Agency, Tennessee State School Bond Authority, and any of their committees. Municipal governing bodies means only those municipal governing bodies organized under Title 6, Chapter 18, and having a city commission of three members, and having a population of more than 2,500 according to the 2000 Federal Census or any subsequent federal census.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005335): Deletes all language after the enacting clause. Defines “executive session” as a meeting from which the public is excluded. Prohibits a public body from holding an executive session except to consider the purchase of property for public purposes; for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; or to consult with the attorney regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed. Adequate public notice requirements of Tenn. Code Ann. § 8-44-103 shall apply to executive sessions to the same extent as any other regular and special meetings of the public body.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- Defining “executive session” and specifying when such meetings are allowed will not have a fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

/lsc